

Filed for intro on 02/25/2002  
HOUSE BILL 3230 By  
Phelan

SENATE BILL 3180  
By Carter

AN ACT to amend Chapter 29 of the Private Acts of 1965; as amended by Chapter 26 of the Private Acts of 1999; and any other acts amendatory thereto, relative to powers and terms of officers of the Town of Trezevant.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 29 of the Private Acts of 1965, as amended by Chapter 26 of the Private Acts of 1999, and any other acts amendatory thereto, is amended in Section 5 by deleting such section in its entirety and by substituting instead the following language:

*Section 5. Governing Body and Administrative Organization*

The governing body of the Town shall be a Board of Mayor and Aldermen composed of the Mayor and five (5) Aldermen.

Beginning on the second Tuesday of March, 2004, the Town shall have the following departments of government:

- (1) Finance;
- (2) Police;
- (3) Fire;

- (4) Water and Sewer;
- (5) Sanitation and Beautification; and
- (6) Streets.

The finance department shall be under the supervision of the Mayor. Each of the departments shall be under the supervision of an Alderman to be appointed by the Mayor at the first Board meeting after each municipal election.

The Alderman in charge of each department shall be responsible for seeing that such department is operated in accordance with such policies as the Board shall prescribe and shall keep the Board advised as to the work and needs of the department.

The Board may define the area of responsibility for each department and shall resolve any dispute as to which department is responsible for any particular activity of the municipal government.

SECTION 2. Chapter 29 of the Private Acts of 1965, as amended, is amended in Section 6 by deleting such section in its entirety and substituting instead the following:

Section 6. *Terms of Officers, Elections and Vacancies*

Notwithstanding any other provision to the contrary in this act, the Mayor, Aldermen, and Recorder in office at the time this act becomes effective shall continue to serve until the end of the term for which they were elected or appointed and until their successors are elected or appointed unless they sooner resign or vacate their offices.

Regular municipal elections for the Mayor and two (2) Aldermen shall be held on the first Tuesday in March of the year 2000 for four-year terms and three (3) Aldermen for two-year terms. The three (3) aldermen elected to two-year terms in the year 2000 shall have an election on the first Tuesday in March 2002 for four-year terms. Thereafter, a municipal election will take place on the first

Tuesday of March in every even-numbered year for the respective four-year terms. The newly elected officials shall take office on the second Tuesday in March of even-numbered years and serve their elected terms.

All municipal elections shall be held by the Carroll County Election Commission in the same manner as prescribed for state and county elections.

Every person registered to vote under the laws of Tennessee for officials of Carroll County and the state of Tennessee and who, in addition, has been a resident of, or owned real property located in, the Town of Trezevant for thirty (30) days next preceding the day of the election shall be entitled to vote.

The candidate receiving the highest number of votes for Mayor and the candidates receiving the highest number of votes for Aldermen shall be declared to be elected to the number of offices open for election. In the event of a tie vote for any office, the remaining members of the newly elected Board of Mayor and Aldermen shall choose from the tied candidates and declare the choice elected.

In the event of a vacancy in the office of Mayor or Aldermen, the Board shall have the power to fill such vacancy for the unexpired term. At the first meeting after each municipal election, and as its first order of business, the newly elected Board shall, after taking the oath of office, choose one (1) person from among themselves to serve a two-year term as Vice-Mayor. The Vice-Mayor shall serve as Mayor during the temporary absences of the Mayor.

No person shall be eligible for office of Mayor or Aldermen unless such person has been a resident citizen and qualified voter of the Town for at least twelve (12) consecutive months immediately preceding the election.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the

act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 4. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the Town of Trezevant. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 5. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 4.